IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO. 9418 OF 2003

Smt. Shyama Kamalakar Parchute ..... Petitioner.

versus

The State of Maharashtra & Ors..... Respondents.

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Shri K.Y. Mandlik for the petitioner.
Shri R.M.Patne AGP for State.

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CORAM ; V.G.PALSHIKAR &
SMT. NISHITA MHATRE, JJ.

DATED; 28TH FEBRUARY 2005.

P.C.;

1. By this petition, the petitioner seeks a direction to pay pension under Rule 19 of the Maharashtra Employees of Private Schools (Condition of Services) Regulation Rules 1981, which provide for grant of pension by prescribing cut of date holding that the persons who retired after the date are entitled to pension.

2. This entitlement of pension consequently refers to Mahrashtra Civil Services (Pension) Rules 1982. In those rules it is provided that a person shall be entitled to pension, if he has completed qualifying service of minimum ten years. The contention of the

petitioner is that the petitioner is entitled to the pension as the qualifying service cannot be restricted to service in the aided school but the entire service rendered in unaided school is also to be calculated. There is nothing either in the Rule of 1981 or Pension rules to support such interpretation. Hence petition is dismissed.

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